

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

THE M/Y *AMADEA*, A MOTOR YACHT BEARING INTERNATIONAL MARITIME ORGANIZATION NO. 1012531, INCLUDING ALL FIXTURES, FITTINGS, MANUALS, STOCKS, STORES, INVENTORIES, AND EACH LIFEBOAT, TENDER, AND OTHER APPURTEINANCE THERETO,

Defendant-*In-Rem*,

and

EDUARD YURIEVICH KHUDAINATOV,
MILLEMARIN INVESTMENTS LTD.,

Claimants.

Case No. 1:23-cv-09304

The Honorable Dale E. Ho

EXPERT DECLARATION OF ANTHONY ROSSITTO

I, ANTHONY ROSSITTO, hereby declare and state the following under the penalties of perjury.

1. My name is Anthony (Tony) Rossitto, I am above the age of 18, and a citizen of the United States.

Qualifications

2. I received a Bachelor of Science in Marine Engineering from Maine Maritime Academy in 1982.

3. For the past 41 years, I have served as a surveyor and consultant in the Marine Construction, Repair, and Consulting industry for ships and yachts. My work has covered all phases and types of project management, new construction, repairs, and refits.

4. In addition, I have personally performed thousands of surveys on all types of vessels in locations worldwide, including yacht and commercial vessel pre-purchase surveys, valuation surveys, and insurance surveys.

5. I am qualified to advise on all classification concerns for all societies including Lloyd's and others. I have conducted surveys for more than 37 different flag states.

6. I have also obtained a broker's license in this industry, and have acted as a broker by closing several large vessel sales.

7. I have served as an expert witness on several cases, which required my expert assessment, including financial assessment, of issues involving yachts and ships including relating to collisions, machinery failures, coating conditions, and construction conformities.

8. Over the course of my career, I have developed expertise in understanding the regularly-required maintenance for yachts and ships, including yachts longer than 100 meters, and the costs affiliated with such maintenance.

9. Attached hereto as Exhibit A are my curriculum vitae and a list of cases on which I have served as an expert witness.

Scope of Opinion

10. In connection with this matter, I have been asked to render an opinion, based upon my experience in the yachting industry, as to the costs that the Plaintiff in the above-captioned matter has claimed to be spending to maintain the Motor Yacht Amadea.

11. I have reviewed the Memorandum of Law in Support of the Plaintiff's Motion for Interlocutory Sale as well as the Declaration of Jennifer Crane that was filed in support of that motion.

12. I have also reviewed the Affidavits of [REDACTED] and [REDACTED] that were filed in the High Court of Fiji at Suva, Civil Action HMB NO. 57 of 2022 and are dated May 2, 2022, which detail the technical particulars of the Amadea, the average maintenance costs, required maintenance tasks, and other relevant information about the Amadea.

13. Based on these two affidavits as well as my background in the industry and my experience working with yachts that are technically similar to the Amadea, particularly those that are longer than 100-meters in length like the Amadea, the costs set forth in the Declaration of Jennifer Crane, in my opinion, are reasonable, normal, and necessary to maintain a vessel like the Amadea.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: February 23, 2024



Anthony Rossitto